

# Exhibit A5

OIS: [REDACTED]

STATEMENT OF [REDACTED]  
DATE: APRIL 7, 2016

POLICE INCIDENT REPORT NO: [REDACTED]

Q: (Unintelligible). It's gonna take us 10 minutes, so  
it's-

A: Okay.

Q: Not gonna be long.

A: Alright. Okay but-

Q: Hey. Thank you. Huh?

MALE: Yeah, no problem.

Q: John Cagney from the Police Department. How are you?

A: Okay. Nice to meet you.

Q: Hi. Gary Watts.

Q: Alright.

Q: Nice to meet you.

Q: Yeah.

A: Thank you, no (unintelligible).

Q: How many years with [REDACTED] for you?

A: 31.

Q: 31?

Q: Wow.

Q: It's funny. I was just talkin' to [REDACTED]. I got 26  
in the police-

A: Oh.

Q: So all I think of-

A: That's a long time with the police force, I guess.

Q: Oh. Well, it's a long time with [REDACTED], 31.

1 A: But [REDACTED] is easy job.  
2 Q: Well, not really. Nothin's easy. No, you gotta get up  
3 every morning. Right?  
4 A: Oh yeah. That's the worst part, yeah.  
5 Q: Your kids want you home. Right?  
6 A: Yeah.  
7 Q: Are they in college or finished?  
8 A: Oh, finish.  
9 Q: Yeah? Where'd they go?  
10 A: Downtown.  
11 Q: Oh. Do they college here or anything like that? Do  
12 they-  
13 A: No, just state.  
14 Q: Oh. SAF.  
15 A: Closer, yeah.  
16 Q: I went to S- he went to SF State.  
17 Q: (Unintelligible).  
18 A: Yeah-  
19 Q: SF State.  
20 A: Good school. I mean-  
21 Q: Yeah.  
22 Q: Great school.  
23 A: Cheaper, I guess.  
24 Q: Yeah. (Unintelligible).  
25 A: To me, to-  
26 Q: Okay. You know what? We'll get this outta the way.  
27 A: Okay.  
28 Q: Thank you very much. Sergeant Cagney and Sergeant

1 Watts. We're both from the homicide unit, meaning we investigate  
2 these kinds of crimes. We've talked to a whole bunch of people.

3 I guess there's your camera stuff on it, so I don't want you to  
4 feel like you're the only person that saw it but just, you know,  
5 we're hopin' maybe you just walk us through what you saw this  
6 morning and you can go back about your business.

7 A: Okay. Good.

8 Q: Yeah.

9 Q: And, [REDACTED], I have information here: [REDACTED]?

10 A: Correct.

11 Q: Okay. Great. So, obviously, Sergeant Cagney and I are  
12 here to ask you questions about the event that happened this  
13 morning.

14 A: Alright.

15 Q: In your own words, if you can just let us know what you  
16 heard and saw, we'll listen to what you have to say and then  
17 we're gonna ask you some questions afterwards. It may sound  
18 monotonous but-

19 A: Alright.

20 Q: Just bear with us. Okay?

21 A: Okay.

22 Q: Great.

23 A: Okay. Well, I was workin' at my desk and then I heard a  
24 person was saying that, like, put it down or don't move,  
25 something to that regard. I can't remember exactly-

26 Q: No, we understand.

27 A: What they say already because, like-

28 Q: Put it down.

1 A: Because, like, that happens quite often right there.

2 Q: Right.

3 A: And then I got up. I don't see anybody by the wall  
4 because I'm short. I cannot see so close to the wall.

5 Q: Right.

6 A: I see a police- I guess I saw in my- what I can see is  
7 two police officer.

8 Q: Mm-hmm.

9 A: One is holding a- kind of, like, a gun, orange.

10 Q: Orange gun.

11 Q: Okay. Orange gun.

12 A: Right.

13 Q: Big, long one?

14 A: Long.

15 Q: Yeah.

16 A: And, of course, my attention is all drawn on him  
17 because-

18 Q: Sure.

19 A: I've never seen a gun before.

20 Q: That color?

21 Q: Any gun.

22 A: That kind of- yeah.

23 Q: Yeah.

24 A: And then I'm sure I have seen the- another officer but  
25 I'm not sure what he was holding or what-

26 Q: Okay.

27 A: Because-

28 Q: So you saw two.

1 A: Yeah.

2 Q: Yeah?

3 A: And he's continue saying that either don't move or  
4 something like that.

5 Q: Okay.

6 A: That goes on for a little bit, little while, I guess.  
7 And then so I thought oh, nothing's going on and he's not doing  
8 anything, so I went down to sit back on my desk. As soon as I  
9 set down, and he said some more. So I cannot resist the  
10 curiosity, so I got up again to the window.

11 Q: Sure.

12 A: And then they say some more, like, don't move or  
13 something or- and then, I guess, maybe there's some movement.  
14 And then I thought I heard couple shots. And then I turn around  
15 because I don't- I was afraid I might see something I don't want  
16 to see.

17 Q: Mm-hmm.

18 A: So I turn around. And then when I turn back, look at  
19 the window, I saw this guy holding a knife like this.

20 Q: Okay. So you're kinda raisin' your arm up. Was it a-

21 A: Like this and it-

22 Q: In his left hand? You're holding your left hand up.

23 A: Like this, yeah. I-

24 Q: Yeah.

25 A: This how he-

26 Q: Was the point pointing outward, like-

27 A: Correct, yes.

28 Q: Yeah? Okay.

1 A: Correct.

2 Q: Okay.

3 A: And, like, it's not- he were walking like this and then  
4 toward- the police is here-

5 Q: Right.

6 A: And he's running toward somewhere here, I guess. And  
7 then I heard more gunshots, I guess. And then I was thinking  
8 gee, how come this bullet or whatever doesn't do anything to him  
9 because he keep on running.

10 Q: Yeah?

11 Q: At the officers?

12 A: Toward the side.

13 Q: Toward the side?

14 A: Right. I don't know.

15 Q: He ran at first toward the officers, not- but he was  
16 running towards something?

17 A: Okay. What I see is, like, this is a sidewalk.

18 Q: Mm-hmm, yeah.

19 A: Here's a pole.

20 Q: Yeah?

21 A: And I think the police is here.

22 Q: Yeah.

23 A: He was holding a gun. I mean, like, he's not running  
24 directly to the police officer. He's running toward, like, the  
25 pole. I mean, the police is here. All I see is this, like that.  
26 I say how come he's- where's he going? I mean, what's he doing?

27 Q: Yeah.

28 A: And he doesn't to be effected by this, whatever bullet



1 | it is. And then so by the time he get to almost to the car on  
2 | the sidewalk-

3 | Q: Mm-hmm.

4 | A: He collapse.

5 | Q: Okay.

6 | A: And that's all I remember.

7 | Q: Okay. Was his arm hold- the hand that was holdin' the  
8 | knife, was it raised?

9 | A: It was like that.

10 | Q: It was raised?

11 | A: It's, like, the point to the front, this, like-

12 | Q: Can I ask, was it-

13 | A: Right, yes, just like that.

14 | Q: Was it like this?

15 | A: Right.

16 | Q: Okay.

17 | A: It was like that.

18 | Q: So-

19 | Q: A striking position.

20 | A: Right.

21 | Q: So if he went down, the blade would hit something.

22 | Right?

23 | A: I think so because all I see is straight, I mean, like-

24 | Q: Okay.

25 | A: Like that. Okay.

26 | Q: Hold my pen and show me how you saw.

27 | A: Okay. It's like this, I mean, from what I can see.

28 | Q: Okay.



1 A: Okay. Like that.

2 Q: Thank you. Got it. Great.

3 Q: Keep goin'.

4 Q: How-

5 Q: Yeah, yeah, how fast was he goin', that kind of stuff?

6 Q: From when you first heard the commands (I'll call them  
7 commands) don't shoot, put it down-

8 A: Mm-hmm.

9 Q: To when the subject went to the ground, how quick- I  
10 know it's difficult but how quick do you think- how fast- how  
11 much time elapsed?

12 A: Oh, very difficult but then it's a while. It's not,  
13 like, don't move, I shoot, no because, like, I can go back to my  
14 desk, I sat down-

15 Q: Mm-hmm.

16 A: Got back up, to the window-

17 Q: Yeah.

18 A: And then I look some more. Then I saw him comin' up.

19 Q: Okay.

20 A: So it's not really fast but I cannot really estimate a  
21 time, I really cannot.

22 Q: Okay.

23 Q: Agnes, when you saw the person with the knife, was he  
24 always standing?

25 A: I do not see him. I do not see anything by the wall  
26 because he was by the wall.

27 Q: Okay but when you first see him with your eyes, is he on  
28 his feet? He's on his feet?

1 A: Yes.

2 Q: Okay. And he's walking or running towards the police?

3 A: It's not, like- kind- not walking, definitely.

4 Q: Okay.

5 A: It's not, like, running really fast but it's kind of,

6 like-

7 Q: In between?

8 A: Yeah.

9 Q: In between.

10 A: Yeah.

11 Q: And he's headed in the general direction, meaning

12 towards the officer but is not directly?

13 A: Okay. Like, for-

14 Q: Well, you know? Here, how about why don't we do this:

15 A: Okay.

16 Q: I drew you a picture.

17 A: Okay.

18 Q: So here's your building.

19 A: Right.

20 Q: Here's the pole that you talked about.

21 A: Right.

22 Q: Here's Shotwell. Here's 19<sup>th</sup>.

23 A: Okay. So-

24 Q: So why don't you just put on there, on your own words,

25 where the officers were and where he was.

26 A: I think the officer maybe here.

27 Q: Put an X.

28 Q: Yeah, put a X where you think the police are.

1 A: Maybe here, okay-  
2 Q: Okay.  
3 Q: (Unintelligible).  
4 A: Because I wasn't pay attention to him anymore-  
5 Q: Okay.  
6 Q: Right.  
7 A: Because he is- he was always here.  
8 Q: Okay.  
9 Q: Okay.  
10 A: And then I see-  
11 Q: The cop?  
12 A: The cop.  
13 Q: Yeah?  
14 A: And then there's another one here-  
15 Q: Okay.  
16 A: Because I don't see him that much because he was the one  
17 who was holding the gun.  
18 Q: Okay.  
19 Q: Which gun? Holdin' the shotgun?  
20 A: The orange-  
21 Q: Okay.  
22 Q: The orange gun.  
23 A: Because I never seen the other one.  
24 Q: Okay.  
25 Q: Yeah.  
26 Q: Okay.  
27 A: And then I guess he was somewhere, must be by the wall  
28 here. And then he was dot, dot, dot, dot, dot, dot, dot, dot.

1 And he was here.

2 Q: Okay.

3 Q: Running towards the police?

4 A: Right.

5 Q: The pole where the police were standing?

6 Q: In the area of the-

7 A: Right, right, yeah, yeah-

8 Q: Yeah.

9 A: Here, here.

10 Q: Right.

11 A: And then he drop.

12 Q: Okay.

13 Q: And he had the knife pointed out-

14 A: Right, right.

15 Q: In a striking position.

16 A: Right.

17 Q: And the officers were telling him to drop the knife the  
18 whole time?

19 A: Many times.

20 Q: Many times.

21 A: Many times.

22 Q: Okay. And did the shooting sound like it was the guy-  
23 did you see- the person with the orange rifle, did you see him  
24 shoot or you just heard?

25 A: I thought I- because I see the- what do you call that,  
26 the whatever comes out from the-

27 Q: The bean bag. They call it-

28 Q: The bean expander shell.

1 Q: Yeah, yeah.  
2 A: Right, right, the shell, yeah, the shell.  
3 Q: Bean bag. It's a bean bag, yeah.  
4 Q: Yeah.  
5 A: The shell, that I saw couple of 'em. I mean, I actually  
6 see couple of 'em on- right-  
7 Q: Comin'-  
8 A: Coming out from the-  
9 Q: The ejector.  
10 Q: Yeah.  
11 A: Right. So that's why I turn my-  
12 Q: You turn your head for a moment.  
13 A: Right because I don't know what would happen.  
14 Q: Yeah, yeah.  
15 Q: Right.  
16 Q: Oh, anything could happen. Right? Yeah.  
17 A: So I thought oh, I might see blood. Like, I don't know  
18 what kind of gun that was but I see these thing. I say oh, I  
19 better not look, so I turn around. And then after a while, I  
20 guess, it stop for a second or whatever. So I look and the guy  
21 is running toward them.  
22 Q: Like this.  
23 A: Correct.  
24 Q: Thank you. (Unintelligible).  
25 Q: Got you. Can you do me a favor? Can you just initial  
26 that with a couple initial?  
27 A: Here?  
28 Q: Yeah, anywhere, just anywhere.

1 Q: Just in the corner.  
2 Q: Yeah.  
3 A: Okay.  
4 Q: Thank you.  
5 Q: [REDACTED], we can't thank you enough because we appreciate  
6 everything.  
7 A: No problem.  
8 Q: We appreciate your 31 years with [REDACTED] the most.  
9 Q: (Unintelligible).  
10 Q: Can you do me a favor? Could you ask-  
11 A: [REDACTED] to come in?  
12 Q: Is it [REDACTED]?  
13 Q: Yeah, [REDACTED].  
14 A: Okay. I will do that.  
15 Q: Tell him- END OF INTERVIEW.  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28 [REDACTED]